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SAMUEL KWESI DADJO

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

SAMUEL KWESI DADJO,

Plaintiff,

v.

ENCORE RECEIVABLE MANAGEMENT,
INC., a Kansas corporation,

Defendant.

Case No. C07-05856-SC

**DECLARATION OF SAMUEL KWESI
DADJO IN SUPPORT OF MOTION
FOR SUMMARY JUDGMENT**

[Fed. R. Civ. P. 56]

Judge: Honorable Samuel Conti
Courtroom: 1, 17th Floor
Place: 450 Golden Gate Ave
San Francisco, California

I, Samuel Kwesi Dadjo, declare under penalty of perjury, under the laws of the United States,
28 U.S.C. § 1746, that the following statements are true:

1. I am the Plaintiff in the above captioned case.
2. I have personal knowledge of the following facts, and if called as a witness,
I could and would competently testify thereto.
3. I am a natural person residing in Alameda County, California. I have never
owned a business.
4. On a date unknown to me, I incurred a financial obligation for personal,
family or household use.
5. Thereafter, ENCORE RECEIVABLE MANAGEMENT, INC. (hereinafter
“Defendant”), recorded numerous automated messages on my answering machine in an attempt to
collect the debt.

1 6. On or about April 10, 2007, Defendant recorded the following automated
2 message on my answering machine in an attempt to collect the debt:

3 Please press 1 now. If this is not Sam Dadjo, please press 2 now. We have a very
4 important call for Sam. This is not a telemarketing call.

5 7. On or about April 11, 2007, Defendant recorded the following automated
6 message on my answering machine in an attempt to collect the debt:

7 We have a very important call for Sam. This is . . .

8 8. On or about April 11, 2007, Defendant recorded the following automated
9 message on my answering machine in an attempt to collect the debt:

10 Please contact Mr. Roche at 866-802-6985 regarding an important personal business
11 matter. Again, this is Mr. Roche at 866-802-6985. I look forward to hearing from
you.

12 9. On or about April 12, 2007, Defendant recorded the following automated
13 message on my answering machine in an attempt to collect the debt:

14 Please contact Mr. Roche at 866-802-6985 regarding an important personal business
15 matter. Again, this is Mr. Roche at 866-802-6985. I look forward to hearing from
you.

16 10. On or about April 13, 2007, Defendant recorded the following automated
17 message on my answering machine in an attempt to collect the debt:

18 Please contact Mr. Roche at 866-802-6985 regarding an important personal business
19 matter. Again, this is Mr. Roche at 866-802-6985. I look forward to hearing from
you.

20 11. On or about April 14, 2007, Defendant recorded the following automated
21 message on my answering machine in an attempt to collect the debt:

22 Please contact Mr. Roche at 866-802-6985 regarding an important personal business
23 matter. Again, this is Mr. Roche at 866-802-6985. I look forward to hearing from
24 you.

25 12. On or about April 17, 2007, Defendant recorded the following automated
26 message on my answering machine in an attempt to collect the debt:

27 Please contact Mr. Roche at 866-802-6985 regarding an important personal business
28 matter. Again, this is Mr. Roche at 866-802-6985. I look forward to hearing from

1 you.

2 13. On or about April 17, 2007, Defendant recorded the following automated
3 message on my answering machine in an attempt to collect the debt:

4 . . . a sales or marketing phone call. Please press the 9 key now to retrieve your
5 important message or call us back at 1-866-802-6985. Thank you. Hello. This is
6 an important message for Sam K. Dadjo. This is not a sales or marketing phone call.
Please press the 9 key now to retrieve your important message or call us back at 1-
866-802-6985. Thank you.

7 14. On or about April 18, 2007, Defendant recorded the following automated
8 message on my answering machine in an attempt to collect the debt:

9 This is not a sales or marketing phone call. Please press the 9 key now to retrieve
10 your important message or call us back at 866-802-69 . . .

11 15. On or about April 18, 2007, Defendant recorded the following automated
12 message on my answering machine in an attempt to collect the debt:

13 Please contact Mr. Roche at 866-802-6985 regarding an important personal business
14 matter. Again, this is Mr. Roche at 866-802-6985. I look forward to hearing from
you.

15 16. On or about April 19, 2007, Defendant recorded the following automated
16 message on my answering machine in an attempt to collect the debt:

17 Please contact Mr. Roche at 866-802-6985 regarding an important personal business
18 matter. Again, this is Mr. Roche at 866-802-6985. I look forward to hearing from
you.

19 17. On or about April 19, 2007, Defendant recorded the following automated
20 message on my answering machine in an attempt to collect the debt:

21 . . . sales or marketing phone call. To retrieve this important message, press the 5
22 key now or call us back 1-866-802-6985. That number again, is 1-866-802-6985.
Thank you. Hello.

23 18. On or about April 30, 2007, Defendant recorded the following automated
24 message on my answering machine in an attempt to collect the debt:

25 Please contact Mr. Roche at 866-802-6985 regarding an important personal business
26 matter. Again, this is Mr. Roche at 866-802-6985. I look forward to hearing from
you.

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Executed at San Jose, California on August 12, 2008.


Samuel Kwesi Dadjo